

Attorney's Docket No.: 07880-126001

**OFFICIAL COMMUNICATION FACSIMILE:**

**OFFICIAL FAX NO: (571) 273-8300**

Number of pages including this page 5

**RECEIVED  
CENTRAL FAX CENTER  
APR 11 2006**

Applicant : Aura Ganz et al.  
Serial No. : 09/502,143  
Filed : February 11, 2000

Art Unit : 2616  
Examiner : Alpus Hsu

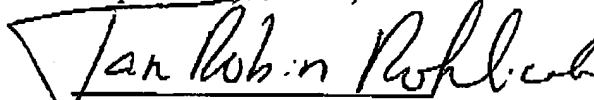
Title : ADAPTIVE MEDIA CONTROL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is Reply to Action of April 4, 2006,  
faxed this 11<sup>th</sup> day of April, 2006, to the United States Patent and Trademark Office.

Date: April 11, 2006

Respectfully submitted,

  
J. Robin Rohlicek, J.D., Ph.D.  
Reg. No. 43,349

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110  
Telephone: (617) 542-5070  
Fax: (617) 542-8906

21307133.doc

**NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at (617) 542-5070 to arrange for its return. Thank you.**

Attorney's Docket No.: 07880-126001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Aura Ganz et al.

Art Unit : 2616

Serial No. : 09/502,143

Examiner : Alpus Hsu

Filed : February 11, 2000

Title : ADAPTIVE MEDIA CONTROL

RECEIVED  
CENTRAL FAX CENTER  
APR 11 2006

## MAIL STOP AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REPLY TO ACTION OF APRIL 4, 2006

In reply to the Final Office Action of April 4, 2006, Applicant submits the following remarks.

The Office Action of October 28, 2005 disapproved the terminal disclaimer by assignee that was submitted on January 20, 2006, a copy of which is attached.

The terminal disclaimer was signed under 1.321(b) (i)(iii) by Michael Jaremchuk, whose title is Associate Director, University of Massachusetts. Mr. Jaremchuk is authorized to act on behalf of the University of Massachusetts. Therefore, the terminal disclaimer should not have been disapproved.

The only rejected of the claims is under obvious-type double patenting, which is addresses by the previously submitted terminal disclaimer. Therefore, the applicant respectfully requests allowance of the application.

Please apply any charges or credits to deposit account 06-1050.

## CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

April 11, 2006

Date of Transmission

Cassie Chandler

Signature

Cassie Chandler

Typed or Printed Name of Person Signing Certificate